



Adopted in House Comm. on May 27, 2005

09400SB0316ham001

LRB094 05315 AMC 47267 a

1 AMENDMENT TO SENATE BILL 316

2 AMENDMENT NO. _____. Amend Senate Bill 316 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Riverboat Gambling Act is amended by
5 changing Section 13 as follows:

6 (230 ILCS 10/13) (from Ch. 120, par. 2413)

7 Sec. 13. Wagering tax; rate; distribution.

8 (a) Until January 1, 1998, a tax is imposed on the adjusted
9 gross receipts received from gambling games authorized under
10 this Act at the rate of 20%.

11 (a-1) From January 1, 1998 until July 1, 2002, a privilege
12 tax is imposed on persons engaged in the business of conducting
13 riverboat gambling operations, based on the adjusted gross
14 receipts received by a licensed owner from gambling games
15 authorized under this Act at the following rates:

16 15% of annual adjusted gross receipts up to and
17 including \$25,000,000;

18 20% of annual adjusted gross receipts in excess of
19 \$25,000,000 but not exceeding \$50,000,000;

20 25% of annual adjusted gross receipts in excess of
21 \$50,000,000 but not exceeding \$75,000,000;

22 30% of annual adjusted gross receipts in excess of
23 \$75,000,000 but not exceeding \$100,000,000;

24 35% of annual adjusted gross receipts in excess of

1 \$100,000,000.

2 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
3 is imposed on persons engaged in the business of conducting
4 riverboat gambling operations, other than licensed managers
5 conducting riverboat gambling operations on behalf of the
6 State, based on the adjusted gross receipts received by a
7 licensed owner from gambling games authorized under this Act at
8 the following rates:

9 15% of annual adjusted gross receipts up to and
10 including \$25,000,000;

11 22.5% of annual adjusted gross receipts in excess of
12 \$25,000,000 but not exceeding \$50,000,000;

13 27.5% of annual adjusted gross receipts in excess of
14 \$50,000,000 but not exceeding \$75,000,000;

15 32.5% of annual adjusted gross receipts in excess of
16 \$75,000,000 but not exceeding \$100,000,000;

17 37.5% of annual adjusted gross receipts in excess of
18 \$100,000,000 but not exceeding \$150,000,000;

19 45% of annual adjusted gross receipts in excess of
20 \$150,000,000 but not exceeding \$200,000,000;

21 50% of annual adjusted gross receipts in excess of
22 \$200,000,000.

23 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
24 persons engaged in the business of conducting riverboat
25 gambling operations, other than licensed managers conducting
26 riverboat gambling operations on behalf of the State, based on
27 the adjusted gross receipts received by a licensed owner from
28 gambling games authorized under this Act at the following
29 rates:

30 15% of annual adjusted gross receipts up to and
31 including \$25,000,000;

32 27.5% of annual adjusted gross receipts in excess of
33 \$25,000,000 but not exceeding \$37,500,000;

34 32.5% of annual adjusted gross receipts in excess of

1 \$37,500,000 but not exceeding \$50,000,000;

2 37.5% of annual adjusted gross receipts in excess of
3 \$50,000,000 but not exceeding \$75,000,000;

4 45% of annual adjusted gross receipts in excess of
5 \$75,000,000 but not exceeding \$100,000,000;

6 50% of annual adjusted gross receipts in excess of
7 \$100,000,000 but not exceeding \$250,000,000;

8 70% of annual adjusted gross receipts in excess of
9 \$250,000,000.

10 An amount equal to the amount of wagering taxes collected
11 under this subsection (a-3) that are in addition to the amount
12 of wagering taxes that would have been collected if the
13 wagering tax rates under subsection (a-2) were in effect shall
14 be paid into the Common School Fund.

15 The privilege tax imposed under this subsection (a-3) shall
16 no longer be imposed beginning on the earlier of (i) July 1,
17 2007 ~~2005~~; (ii) the first date after June 20, 2003 ~~the~~
18 ~~effective date of this amendatory Act of the 93rd General~~
19 ~~Assembly~~ that riverboat gambling operations are conducted
20 pursuant to a dormant license; or (iii) the first day that
21 riverboat gambling operations are conducted under the
22 authority of an owners license that is in addition to the 10
23 owners licenses initially authorized under this Act. For the
24 purposes of this subsection (a-3), the term "dormant license"
25 means an owners license that is authorized by this Act under
26 which no riverboat gambling operations are being conducted on
27 June 20, 2003 ~~the effective date of this amendatory Act of the~~
28 ~~93rd General Assembly~~.

29 (a-4) Beginning on the first day on which the tax imposed
30 under subsection (a-3) is no longer imposed, a privilege tax is
31 imposed on persons engaged in the business of conducting
32 riverboat gambling operations, other than licensed managers
33 conducting riverboat gambling operations on behalf of the
34 State, based on the adjusted gross receipts received by a

1 licensed owner from gambling games authorized under this Act at
2 the following rates:

3 15% of annual adjusted gross receipts up to and
4 including \$25,000,000;

5 22.5% of annual adjusted gross receipts in excess of
6 \$25,000,000 but not exceeding \$50,000,000;

7 27.5% of annual adjusted gross receipts in excess of
8 \$50,000,000 but not exceeding \$75,000,000;

9 32.5% of annual adjusted gross receipts in excess of
10 \$75,000,000 but not exceeding \$100,000,000;

11 37.5% of annual adjusted gross receipts in excess of
12 \$100,000,000 but not exceeding \$150,000,000;

13 45% of annual adjusted gross receipts in excess of
14 \$150,000,000 but not exceeding \$200,000,000;

15 50% of annual adjusted gross receipts in excess of
16 \$200,000,000.

17 (a-8) Riverboat gambling operations conducted by a
18 licensed manager on behalf of the State are not subject to the
19 tax imposed under this Section.

20 (a-10) The taxes imposed by this Section shall be paid by
21 the licensed owner to the Board not later than 3:00 o'clock
22 p.m. of the day after the day when the wagers were made.

23 (b) Until January 1, 1998, 25% of the tax revenue deposited
24 in the State Gaming Fund under this Section shall be paid,
25 subject to appropriation by the General Assembly, to the unit
26 of local government which is designated as the home dock of the
27 riverboat. Beginning January 1, 1998, from the tax revenue
28 deposited in the State Gaming Fund under this Section, an
29 amount equal to 5% of adjusted gross receipts generated by a
30 riverboat shall be paid monthly, subject to appropriation by
31 the General Assembly, to the unit of local government that is
32 designated as the home dock of the riverboat. From the tax
33 revenue deposited in the State Gaming Fund pursuant to
34 riverboat gambling operations conducted by a licensed manager

1 on behalf of the State, an amount equal to 5% of adjusted gross
2 receipts generated pursuant to those riverboat gambling
3 operations shall be paid monthly, subject to appropriation by
4 the General Assembly, to the unit of local government that is
5 designated as the home dock of the riverboat upon which those
6 riverboat gambling operations are conducted.

7 (c) Appropriations, as approved by the General Assembly,
8 may be made from the State Gaming Fund to the Department of
9 Revenue and the Department of State Police for the
10 administration and enforcement of this Act, or to the
11 Department of Human Services for the administration of programs
12 to treat problem gambling.

13 (c-5) After the payments required under subsections (b) and
14 (c) have been made, an amount equal to 15% of the adjusted
15 gross receipts of (1) an owners licensee that relocates
16 pursuant to Section 11.2, (2) an owners licensee ~~license~~
17 conducting riverboat gambling operations pursuant to an owners
18 license that is initially issued after June 25, 1999, or (3)
19 the first riverboat gambling operations conducted by a licensed
20 manager on behalf of the State under Section 7.3 ~~7.2~~, whichever
21 comes first, shall be paid from the State Gaming Fund into the
22 Horse Racing Equity Fund.

23 (c-10) Each year the General Assembly shall appropriate
24 from the General Revenue Fund to the Education Assistance Fund
25 an amount equal to the amount paid into the Horse Racing Equity
26 Fund pursuant to subsection (c-5) in the prior calendar year.

27 (c-15) After the payments required under subsections (b),
28 (c), and (c-5) have been made, an amount equal to 2% of the
29 adjusted gross receipts of (1) an owners licensee that
30 relocates pursuant to Section 11.2, (2) an owners licensee
31 conducting riverboat gambling operations pursuant to an owners
32 license that is initially issued after June 25, 1999, or (3)
33 the first riverboat gambling operations conducted by a licensed
34 manager on behalf of the State under Section 7.3 ~~7.2~~, whichever

1 comes first, shall be paid, subject to appropriation from the
2 General Assembly, from the State Gaming Fund to each home rule
3 county with a population of over 3,000,000 inhabitants for the
4 purpose of enhancing the county's criminal justice system.

5 (c-20) Each year the General Assembly shall appropriate
6 from the General Revenue Fund to the Education Assistance Fund
7 an amount equal to the amount paid to each home rule county
8 with a population of over 3,000,000 inhabitants pursuant to
9 subsection (c-15) in the prior calendar year.

10 (c-25) After the payments required under subsections (b),
11 (c), (c-5) and (c-15) have been made, an amount equal to 2% of
12 the adjusted gross receipts of (1) an owners licensee ~~license~~
13 that relocates pursuant to Section 11.2, (2) an owners licensee
14 ~~license~~ conducting riverboat gambling operations pursuant to
15 an owners license that is initially issued after June 25, 1999,
16 or (3) the first riverboat gambling operations conducted by a
17 licensed manager on behalf of the State under Section 7.3 ~~7.2~~,
18 whichever comes first, shall be paid from the State Gaming Fund
19 to Chicago State University.

20 (d) From time to time, the Board shall transfer the
21 remainder of the funds generated by this Act into the Education
22 Assistance Fund, created by Public Act 86-0018, of the State of
23 Illinois.

24 (e) Nothing in this Act shall prohibit the unit of local
25 government designated as the home dock of the riverboat from
26 entering into agreements with other units of local government
27 in this State or in other states to share its portion of the
28 tax revenue.

29 (f) To the extent practicable, the Board shall administer
30 and collect the wagering taxes imposed by this Section in a
31 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
32 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
33 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
34 Penalty and Interest Act.

1 (Source: P.A. 92-595, eff. 6-28-02; 93-27, eff. 6-20-03; 93-28,
2 eff. 6-20-03; revised 1-28-04.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".